

PETER C. ANDERSON
UNITED STATES TRUSTEE
JILL M. STURTEVANT, State Bar No. 089395
ASSISTANT UNITED STATES TRUSTEE
Dare Law, State Bar No. 155714
TRIAL ATTORNEY
OFFICE OF THE UNITED STATES TRUSTEE
915 Wilshire Blvd, Suite 1850
Los Angeles, California 90017
(213) 894-4925 telephone
(213) 894-2603 facsimile
Email: dare.law@usdoj.gov

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - Los Angeles Division

In re:	)	Case No. 2:17-bk-19548 NB
)	
LAYFIELD & BARRETT, APC	)	Chapter 11
)	
	)	APPLICATION FOR ORDER APPROVING
	)	APPOINTMENT OF CHAPTER 11
Debtor.	)	TRUSTEE
)	
	)	Hearing Date: No Hearing Required
	)	Time:
	)	Courtroom 1545
	)	255 East Temple Street
	)	Los Angeles, CA 90012
)	

The United States Trustee applies to this Court pursuant to FRBP 2007.1 for an Order Approving the Appointment of Trustee and in support thereof, states:

1. The United States Trustee has appointed RICHARD PACHULSKI as the Chapter 11 Trustee in the above captioned case pursuant to this Court's Order Directing the Appointment of a trustee. *See* Exhibit "1."
2. The United States Trustee has consulted with the following parties in interest regarding the appointment of the trustee:
 - a. Stella Havkin, Esq. – attorney for Debtor
 - b. Jeffrey Golden, Esq. – attorney for Advocate Capital

1 c. Robert Labate, Esq. – Attorney for The Dominguez Firm

2 3. To the best of the United States Trustee's knowledge, the Chapter 11 Trustee's connections
3 with the debtor, creditors, any other parties in interest, their respective attorneys and
4 accountants, the United States Trustee, and persons employed in the Office of the United
5 States Trustee are limited to the connections set forth in the Chapter 11 Trustee's attached
6 verified statement to the Notice of Appointment.

7 WHEREFORE, the United States Trustee requests this Court enter an Order Approving the
8 Appointment of RICHARD PACHULSKI as trustee in the above-captioned case with the bond
9 amount to be no less than seven hundred and fifty thousand dollars (\$750,000).

10 Dated: August 21, 2017

PETER C. ANDERSON
UNITED STATES TRUSTEE


11
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13 By: 
14 Dare Law
15 Attorney for the United States Trustee
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28

Exhibit “1”

Exhibit “1”

1 Jeffrey I. Golden, State Bar No. 133040
jgolden@lwgfllp.com
2 Beth E. Gaschen, State Bar No. 245894
bgaschen@lwgfllp.com
3 **LOBEL WEILAND GOLDEN FRIEDMAN LLP**
650 Town Center Drive, Suite 950
4 Costa Mesa, California 92626
Telephone 714-966-1000
5 Facsimile 714-966-1002
6 Attorneys for Creditor
Advocate Capital, Inc.

FILED & ENTERED

AUG 17 2017

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY sumlin DEPUTY CLERK

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **LOS ANGELES DIVISION**

11 In re

12 LAYFIELD & BARRETT, APC,

13 Debtor.

Case No. 2:17-bk-19548-NB

Chapter 11

**ORDER APPROVING STIPULATION FOR
THE APPOINTMENT OF A CHAPTER 11
TRUSTEE**

16 The Court having considered the Stipulation for the Appointment of a Chapter 11
17 Trustee (the "Stipulation") entered into between secured creditor, Advocate Capital, Inc.
18 ("Advocate"), petitioning creditors The Dominguez Firm, Mario Lara, Nayazi Reyes, and
19 Maria Rios (the "Petitioning Creditors"), and Layfield & Barrett, APC (the "Debtor," and
20 together with Advocate and the Petitioning Creditors, the "Parties"), and for good cause
21 shown,

22 **IT IS ORDERED** that:

23 1. The Stipulation is approved; and

24 ///

2. The Office of the United States Trustee is directed to appoint a Chapter 11
Trustee in the above-captioned chapter 11 bankruptcy case.

###

Lobel Weiland Golden Friedman LLP
650 Town Center Drive, Suite 850
Costa Mesa, California 92626
Tel 714-966-1000 Fax 714-966-1002

Date: August 17, 2017

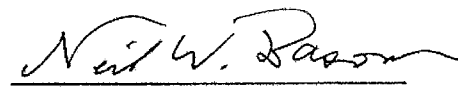

Neil W. Bason
United States Bankruptcy Judge

Exhibit "2"

Exhibit "2"

1 RICHARD M. PACHULSKI
PACHULSKI STANG ZIEHL & JONES LLP
2 10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067
3 Telephone: 310/277-6910
Facsimile: 310/201-0760
4 E-mail Address: rpachulski@pszjlaw.com

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8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 LOS ANGELES DIVISION

11 In re:

12 LAYFIELD & BARRETT, APC,

13 Debtor.

Case No.: 2:17-bk-19548-NB

Chapter 11

14 **DECLARATION OF RICHARD M.**
15 **PACHULSKI IN SUPPORT OF**
16 **APPLICATION FOR ORDER**
17 **APPROVING APPOINTMENT OF**
18 **TRUSTEE AND FIXING BOND**

[NO HEARING REQUIRED]

19 I, Richard M. Pachulski, declare as follows:

20 1. I am the appointed chapter 11 Trustee of the above-entitled case. The following
21 testimony is within my personal knowledge and, if called to testify, I could and would competently
22 testify thereto.

23 2. I meet the criteria set forth in 11 U.S.C. § 321 in that I have an office in the judicial
24 district in which the case is pending. My office is located at 10100 Santa Monica Boulevard,
25 Suite 1300, Los Angeles, California 90067. Furthermore, I have not served as an examiner in this
26 case.

PACHULSKI STANG ZIEHL & JONES LLP
ATTORNEYS AT LAW
LOS ANGELES, CA

3. I am complying with the requirement of 11 U.S.C. § 322 as I am in the process of filing a bond with the Bankruptcy Court of the United States that is conditioned on my faithful performance of my official duties.

4. I am an attorney licensed to practice law in the State of California and before this Court. I am a founding shareholder of the law firm of Pachulski, Stang, Ziehl & Jones LLP, and have practiced law for over 35 years. During that time I have been a trustee and counsel to several trustees.

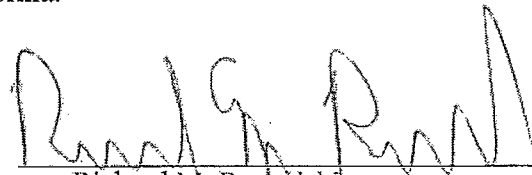
5. I am familiar with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules, and shall comply with them during the administration of this case.

6. I hereby verify that I have no connection with the Debtor, creditors, any other parties in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee, except: None.

7. To the best of my knowledge, I hold no interest materially adverse with the Debtor, the Debtor's attorneys or accountants, the Debtor's creditors, nor any other party in interest, nor their respective attorneys or accountants. If additional information comes to my attention that changes these facts, I will advise the Court and the United States Trustee immediately.

8. I am a "disinterested person" within the meaning of the Bankruptcy Code § 101(14) in that I am not a creditor, equity security holder or insider, or past or present officer, director, or employee of the Debtor. I do not hold an interest materially adverse to the estate or any class of creditors of equity security holders, by reason of any direct or indirect relationship or connection with or interest in, the Debtor or for any other reason.

I declare under penalty of perjury that the foregoing is true and correct. Executed this ____th day of August, 2017, at Los Angeles, California.


Richard M. Pachulski

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

915 Wilshire Boulevard, Suite 1850, Los Angeles, California 90017-3560

A true and correct copy of the foregoing document entitled (*specify*): **Application for Order Approving Appointment of Chapter 11 Trustee** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **August 21, 2017**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SERVICE LIST (IF APPLICABLE)

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**: On **August 21, 2017**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

SEE ATTACHED SERVICE LIST (IF APPLICABLE)

☒ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **August 21, 2017**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

SEE ATTACHED SERVICE LIST (IF APPLICABLE)

☒ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

August 21, 2017
Date

Stephanie Hill
Print Name

Stephanie Hill
Signature

ADDITIONAL SERVICE INFORMATION

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

<u>Name</u>	<u>Capacity</u>	<u>Email Address</u>
Moises S Bardavid	Interested Party	mbardavid@hotmail.com
Martin J Brill	Interested Party	mjb@lnbrb.com
Baruch C Cohen	Interested Party	bcc@BaruchCohenEsq.com, paralegal@baruchcohenesq.com
Beth Gaschen	Attorney for Creditor	bgaschen@wglp.com, kadele@wglp.com; lfisk@wglp.com; lgauthier@lwgfllp.com; nlockwood@lwgfllp.com
Jeffrey I Golden	Attorney for Creditor	jgolden@wglp.com
Stella A Havkin	Attorney for Debtor	stella@havkinandshrago.com, havkinlaw@earthlink.net; r49306@notify.bestcase.com
Dare Law	Attorney for U.S. Trustee	dare.law@usdoj.gov
Daniel H Reiss	Interested Party	dhr@lnbyb.com, dhr@ecf.inforuptcy.com
Lindsey L Smith	Interested Party	lls@lnbyb.com, lls@ecf.inforuptcy.com
United States Trustee (LA)		ustpreion16.la.ecf@usdoj.gov
Alan J Watson	Petitioning Creditor	alan.watson@hklaw.com, gloria.hoshiko@hklaw.com

SEE NEF FOR CONFIRMATION OF ELECTRONIC TRANSMISSION TO THE U.S. TRUSTEE AND ANY TRUSTEE IN THIS CASE, AND TO ANY ATTORNEYS WHO RECEIVE SERVICE BY NEF.

2. **SERVED BY U.S. MAIL**

Debtor:

Layfield & Barrett, APC
2720 Homestead Rd Ste 210
Park City, UT 84098

Chapter 11 Trustee:

Richard Pachulski, Esq.
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067-4003

Request for Special Notice:

Patricia Salcedo
The Dominguez Firm
3250 Wilshire Blvd #2200
Los Angeles, CA 90010

Timothy M Smith
McKinley Smith APC
3445 American River Dr Ste A
Sacramento, CA 95864

3. **SERVED BY FEDERAL EXPRESS OVERNIGHT MAIL** (Pursuant to the UST's agreement with the Bankruptcy Judge's Courtesy Copy was mailed Federal Express overnight mail to the following address.)

Judge's Copy
Honorable Neil W. Bason
U.S. Bankruptcy Court
255 E. Temple Street, Room 940
Los Angeles, CA 90012
Attn: Mail Room Clerk-Judges Copies